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February 26, 2009  
Via ECFS Transmission

Ms. Marlene H. Dortch, FCC Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, DC 20554

**RE: Harbor Communications, LLC - 2008 CPNI Certification Filing  
EB Docket No. 06-36**

Dear Ms. Dortch:

Pursuant to the Commission's Public Notice of January 07, 2009, enclosed for filing please find the 2008 Annual CPNI Compliance Certification submitted on behalf of Harbor Communications, LLC, as required by section 64.2009(e) of the Commission's rules.

Any questions you may have concerning this filing may be directed to me at 407-740-3004 or via email to [rnorton@tminc.com](mailto:rnorton@tminc.com).

Sincerely,

Robin Norton  
Consultant to Harbor Communications, LLC

RN/lm

cc: Best Copy and Printing, Inc. - [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM)  
cc: FCC Enforcement Bureau - 2 copies  
cc: Leigh Ann Wooten - Harbor  
file: Harbor - FCC  
tms: FCCx0901

**ANNUAL 47 C.F.R. § 64.2009(e) OFFICER'S CERTIFICATION OF  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI) COMPLIANCE**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for Calendar Year: **2008**

Name of company covered by this certification: **Harbor Communications, LLC**

Form 499 Filer ID: **821524**

Name of signatory: **Kevin J. Polk**

Title of signatory: **General Manager**

I, **Kevin J. Polk**, certify and state that:

1. I am the **General Manager** of **Harbor Communications, LLC** and, acting as an agent of the company, I have personal knowledge of **Harbor Communications, LLC's** operating procedures as they relate to CPNI, and the Rules and Regulations of the Federal Communications Commission regarding CPNI.
2. I hereby certify that, to the best of my knowledge, information and belief, **Harbor Communications, LLC's** operating procedures are adequate to ensure compliance with its CPNI obligations pursuant to Section 222 of the Communications Act of 1934, as amended, and the Commission's rules found at 47 CFR Subpart U.
3. Attached to this certification as Exhibit A is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.



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**Kevin J. Polk, General Manager  
Harbor Communications, LLC**

2-26-09

Date

**Exhibit A**  
**Statement of CPNI Procedures and Compliance**

**Statement of CPNI Procedures and Compliance  
For 2008  
Harbor Communications, LLC**

Harbor Communications, LLC is a small CLEC operating in three states, providing basic local service and/or long distance services to a small group of customers.

We use CPNI to market services to our customers and notify our customers of their right to restrict use of, disclosure, and access to their CPNI, prior to asking for approval to use CPNI. We obtain customer opt-in approval on a per inbound call basis. When a customer calls in, prior to accessing CPNI, our customer representatives advise customers of their rights regarding confidentiality of and access to CPNI and then request permission to access that CPNI to verify information relative to the call and to recommend services and establishes and maintains records establishing proof that approval was obtained. Our customer service record indicates the status of each customer's CPNI approval status. The flag in the customer service record is currently defaulted to "N" meaning "No, the customer has not approved use of access to CPNI."

We do not conduct any outbound marketing campaigns that involve CPNI at this time. Should we elect to do so in the future, we will follow the applicable rules set forth in 47 CFR Subpart U, including the institution of operational procedures to ensure that notification is provided and customer opt-out approval is obtained before CPNI is used or disclosed, and compliance with the requirement to maintain records of such marketing.

We have put into place processes to safeguard our customers' CPNI and call detail information from improper use or disclosure by employees; and to discover and protect against attempts by third parties to gain unauthorized access to customer CPNI. CPNI may only be disclosed to the contact of record for an account or to an agent of customer designated by contact of record for the account pursuant to a written Letter of Agency (LOA) retained in the customer's file. CPNI may only be mailed to the contact of record at the address of record; released to the contact of record pursuant to valid photo identification; or mailed to the customer's designated agent at the designated agent's address of record pursuant to written Letter of Agency (LOA) retained in the customer's file.

All employees are trained on proper and improper disclosure and the consequences (potential fines and disciplinary measures) associated with improper disclosure. Customer service and provisioning representatives as well as our sales force and field technicians are trained semi-annually on access to and appropriate handling of CPNI. All other Harbor personnel receive training on an annual basis.

On occasions where it may become necessary to provide CPNI to a third party other than via a court-issued subpoena, we require our customer to provide a written Letter of Agency (LOA) on letterhead detailing the individual's and/or company's name and address to whom the customer is designating as their agent for receipt of CPNI (such as a telecom consultant). In each instance, a copy of the written Letter of Agency (LOA) is kept in the customer's file and a record of such CPNI disclosure is maintained and kept separately in a locked file.

We do not provide call detail information over the telephone.

We do not currently provide on-line access to CPNI. If we elect to do so in the future, we will follow the applicable rules set forth in 47 CFR Subpart U, including the implementation of authentication procedures that do not require the use of readily available biographical information.

We do allow in-store access to CPNI once the customer has presented a valid photo ID that matches his/her account information.

Although we have not experienced any breaches of CPNI to date, we have procedures in place to notify law enforcement in the event of a breach of customers' CPNI and to ensure that customers are not notified of the breach before the time period set forth in the FCC's rules, or, if applicable, when so authorized by law enforcement.

We have not experienced any breaches of CPNI to date, but will maintain records, either written or electronic, of any and all breaches discovered and notifications made to the USSS and the FBI, and to customers.

We have not taken any actions against data brokers in the last year.

We did not receive any customer complaints about the unauthorized release of CPNI or the unauthorized disclosure of CPNI in calendar year 2008.

We do not have any information with respect to the processes Pretexters are using to attempt to access CPNI.